

DEC 04 2006

002

Docket No.: LOCHT.116A

Page 1 of 2

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AMENDMENT / RESPONSE TRANSMITTAL

Applicant : Thomas J. Lochtefeld
 App. No : 10/056,893
 Filed : January 24, 2002
 For : SURF TOY ACTION FIGURE AND
 SIMULATED SURFING GAME
 Examiner : R. W. Chiu
 Art Unit : 3711

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December 4, 2006

(Date)

Total number of pages including this sheet: 11


 Glen L. Nuttall, Reg. No. 46,188

Mail Stop Amendment
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing in the above-identified application are the following enclosures:

- (X) Amendment in 7 pages.
- (X) Petition Under 37 C.F.R. § 1.137(b) For Revival of a Patent Application
Abandoned Unintentionally in 2 pages.

The fee has been calculated as shown below:

The present application qualifies for Small Entity Status under 37 CFR 1.27.

FEE CALCULATION				
FEE TYPE		FEE CODE	CALCULATION	TOTAL
Excess Claims	26 - 31 =	2202 (\$25)	x 25 =	\$0
Excess Independent	3 - 3 =	2201 (\$100)	x 100 =	\$0
Petition Fee		2453 (750)		\$750
			TOTAL FEE DUE	\$750

- (X) Charge \$750 to Deposit Account No. 11-1410.

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Page 2 of 2

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Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.



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TO: Examiner R. W. Chiu
FIRM: UNITED STATES PATENT AND TRADEMARK OFFICE
GROUP ART UNIT: 3711 SERIAL NO.: 10/056,893
FILING DATE: January 24, 2002 CLIENT CODE: LOCHT.116A
FAX NO.: (571) 273-8300
FROM: Glen L. Nuttall
TOTAL NUMBER OF PAGES: - 12 - (INCLUDING COVER SHEET)
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MESSAGE: Enclosed for filing in the above-identified patent application is an Amendment and Petition under 37 C.F.R. § 1.137(b) for revival of a Patent Application.

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LOCHT.116A

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	:	Thomas J. Lochtefeld
Appl. No.	:	10/056,893
Filed	:	January 24, 2002
For	:	SURF TOY ACTION FIGURE AND SIMULATED SURFING GAME
Examiner	:	R. W. Chiu
Group Art Unit	:	3711

AMENDMENT AFTER FINAL REJECTION PURSUANT TO 37 C.F.R. § 1.116

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This Amendment is being filed with a petition under 37 C.F.R. § 1.137(b) to revive the above-identified application, which was unintentionally abandoned. Applicant had filed an Amendment on June 3, 2004 in response to the final Office Action mailed December 29, 2003. Unfortunately, it has been determined that the June 3, 2004 Amendment did not place the case in condition for allowance, and thus the case has become abandoned.

The present Amendment is intended to replace the Amendment filed on June 3, 2004. This Amendment is substantively identical to the June 3, 2004 Amendment, which apparently was not entered, except that it cancels Claim 19. As discussed below, Applicant contends that the present application is now in condition for allowance.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 6 of this paper.